IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1818 OF 2004

Kishore E. Rokade ..Applicant

Versus

The State of Maharashtra

and Ors. ..Respondents

Mr.Chaitanya Pendse for applicant

Ms.Rajashree Gadhvi, A.P.P. for State.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 31st August 2006.

P.C.

. I have heard learned Advocate appearing for applicant at length. With his assistance, I have perused the application so also the complaint

instituted by respondent No.2 alleging commission of offences punishable under section 138 of the Negotiable Instruments Act. It appears from the application that the applicant was fearing arrest because a non bailable warrant was issued against him. This court while issuing notice to respondent No.2 - original complainant on 21st April 2004 had stayed the non bailable warrant on 6th March 2004. The main prayer in the application is to quash criminal proceedings. However, neither is any ground raised in the application nor any reasons are assigned during oral submissions to demonstrate that the criminal complaint filed against the applicant discloses no offence or that the proceedings against applicant are otherwise an abuse of the process of the Court. There is no case made out for invoking inherent powers of this Court under section 482 of Cr.P.C. Application dismissed. All contentions on merits are kept open. Equally if there is any apprehension in the mind of

applicant either on account of influence exercised by respondent No.2 or that the trial would not be fair and proper, his remedies in that behalf are expressly kept open and shall not be affected by the orders passed on this application.

(S.C.Dharmadhikari, J)